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HENGNING WU			EXAMINER	
Acroscape			TSANG, ELBERT	
12923 Roberts Ridge CT.				
Bristow, VA 20136				
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/605,692

Applicant(s)

WU, HENGNING

Examiner

Elbert Tsang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Hu et al, Patent No.: US 6,271,939 B1 (hereinafter Hu).

For claim 1, Hu teaches:

A portable flatbed scanner (figs. 2A-E & 4) comprising: a first transparent platen facing the original document [Column 6, Lines 1-2, fig. 4, 412]; a scanning mechanism movably mounted relative to said first transparent platen [Column 6, Lines 24-29, fig. 4, 400]; a second transparent platen at the back of the housing for said scanning mechanism; whereby the user can see the original document through said first and second transparent platens. [Column 4, Lines 39-52; Fig 2C]

Claim 2, the portable flatbed scanner of claim 1, further comprising means for directly setting the scanning area. [Column 5, Lines 14-19, 28-29]

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Claim 3, the portable flatbed scanner of claim 1, wherein said second transparent platen is provided with a grid pattern for alignment of the original document with said scanner.

[Column 5, Lines 21-29; Fig 2E]

Claim 9, the portable flatbed scanner of claim 1, further comprising a cover extending to the full length of said transparent platens for protecting said transparent platens.

[Column 4, Lines 8-27]

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows: (See *MPEP Ch. 2141*)

Determining the scope and contents of the prior art;
Ascertaining the differences between the prior art and the claims in issue;
Resolving the level of ordinary skill in the pertinent art; and
Evaluating evidence of secondary considerations for indicating obviousness or nonobviousness.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hu et al, Patent No.: US 6,271,939 B1 (hereinafter Hu).

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For claim 10:

Hu does not disclose the recited features of: wherein said cover comprising: a slot corresponding to a gap between the scanning area of said first transparent platen and said cover; an opening facing said first transparent platen with a size large enough for a finger; whereby a document can be inserted from said slot into said gap between said first transparent platen and said cover for scanning, and the document can be removed with a finger from said opening. However Hu states, "From the given descriptions, those skilled in the art may derive different kinds of transparent frame scanners and corresponding cradles or docking stations... In addition, many features may be introduced into the cradle to provide additional features..."[Column 4, Lines 8-27; Fig 2A].

Thus, since Hu suggests various aspects and modifications to the transparent frame scanners and corresponding cradles and/or docking stations, it would have been obvious to do so as claimed to meet specific application(s) intended.

5. Claims 4 and 5-8, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hu et al as applied to claims 1 and 8 above and further in view of Han et al, US PGPub No.: US 20010000979 A1 (hereinafter Han).

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For claim 4:

Hu does not teach: The portable flatbed scanner of claim 1, further comprising a CPU and memory, software for the scanning operation, and data storage media for storing image files; whereby said portable flatbed scanner can stand alone. However, Han '979 does [See Abstract, para. [0047-0050], figs. 1-4].

For claim 5:

Hu also does not teach the portable flatbed scanner of claim 4, wherein said data storage media is removable. However, Han does [See Abstract, para. [0047-0050], figs. 1-4].

Thus, the combined teaching of Hu and Han as a whole, would have made it well known and obvious to utilize a portable flatbed scanner as recited in claims 4-5 above for the advantages as enumerated in Han (see para [0006]).

For claim 6, Hu et al does not teach:

The portable flatbed scanner of claim 1, further comprising a text scan button for starting a scanning process for a text document at predetermined parameters.

However, Han does. See [0055-0064] (Han discloses various scanning resolutions and associated buttons to dictate scanning of various media such as photo or document i.e., text).

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For claim 7:

The portable flatbed scanner of claim 1, further comprising a picture scan button for starting a scanning process for a picture document at predetermined parameters (refer to claim 6 rejection comments).

For claim 8:

The portable flatbed scanner of claim 1, further comprising an index number display, a button for increasing said index number, and a button for decreasing said index number, and software for associating the bibliographic information from the image of a predefined index number and the page number from the current index number with a scanned image; whereby the bibliographic information of an image file is easily available. [See 0067; Fig 4] (An indexing system is described by Han with the numeric filing sequence. Han incorporates +/- buttons [see 0055-0056] which can be used to program said indexing system.)

For claim 11:

A method of associating bibliographic information to a scanned image file, comprising: providing an index number display, a button for increasing said index number, and a button for decreasing said index number; scanning the bibliographic information of the document for a predefined index number; setting said index number to the corresponding page number of said document; scanning said document page to

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obtain a scanned image file; associating said bibliographic information of said document and said index number with said scanned image file.

The method steps of claim 11 correspond to the system elements of claims 1 and 8, which would have necessitated the recited method steps. Thus, the method claim has been analyzed and rejected in view of claims 1 and 8 above.

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Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elbert Tsang whose telephone number is (571) 270-3748. The examiner can normally be reached on 8:00 AM - 5:00 PM, M-F, EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on (571) 272-7332. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Elbert Tsang

Patent Examiner


VU LE
SUPERVISORY PATENT EXAMINER